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REMARKS

Claims 1-24 are pending in the Application. Reconsideration and allowance of the claims is respectfully requested in view of the above amendments and the following remarks.

Claim Rejections Under 35 U.S.C. § 102(b)

Claims 21 and 22 stand rejected under 35 U.S.C. § 102(b), as allegedly anticipated by U.S. Patent No. 5,279,910 to Sasaki et al (hereinafter "Sasaki"). In particular the Examiner has asserted that Sasaki teaches an asymmetric supercapacitor/battery comprising a positive electrode comprising a current collector and manganese dioxide, a negative electrode comprising carbonaceous active material, an aqueous electrolyte solution and a separator. (Page 2 of December 3, 2003 Office Action) Applicants respectfully traverse this rejection.

Present Claims 21 and 22 are directed to an asymmetric supercapacitor comprising a positive electrode comprising a current collector and manganese dioxide; a negative electrode comprising carbonaceous active material; an aqueous electrolyte solution; and a separator plate.

In making the rejection the Examiner has asserted that Sasaki teaches an aqueous electrolyte solution by saying "an aqueous electrolyte solution (column 6, line 34); and separator 3." (Page 2 of December 3, 2003 Office Action) Applicants fail to understand the basis of the Examiner's argument because Column 6, lines 34-36 state "Shown by 3 is the electrolyte layer made of the ion-conductive high molecular weight compound of the present invention." The ion-conductive high molecular weight compound described by Sasaki is a polyether structure with at least one ionic compound dissolved therein (Abstract) and is described in detail beginning at Col. 2, line 62 and continuing to Col. 4, line 33. The electrolyte of Sasaki is a polymeric solid and is not aqueous. Applicants do not believe there is any basis in Sasaki for a teaching of an aqueous electrolyte.

To anticipate a claim under 35 U.S.C. § 102, a single source must contain all of the elements of the claim. *Lewmar Marine Inc. v. Barient, Inc.*, 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), cert. denied, 484 U.S. 1007 (1988). Applicants earnestly and strongly assert that Sasaki does not teach an aqueous electrolyte and for at least this reason cannot anticipate the pending claims.

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Claim Rejections Under 35 U.S.C. § 103(a)

Claims 21 and 22 stand rejected under 35 U.S.C. § 102(b), as allegedly unpatentable over U.S. Patent No. 5,279,910 to Sasaki et al. in view of U.S. Patent No. 6,162,530 to Xiao et al. (hereinafter “Xiao”). Applicants respectfully traverse the rejection.

Xiao is directed to a chemical synthetic method for the production of nanoscale materials (Abstract). Example 2 in Column 14, line 51 to Column 15, line 36 describes the production of a nanostructured manganese dioxide.

In making the rejection, the Examiner cites Xiao for the teaching of nanostructured manganese dioxide (Paper 21, Page 3).

Claims 23 and 24 depend from Claim 21. As discussed above, Claim 21 and thus dependent Claims 23 and 23 contain the element of an aqueous electrolyte solution. Also as discussed above, Sasaki does not teach or disclose this claim element. Xiao does not discuss electrolytes, and does not cure the defect of Sasaki regarding the aqueous electrolyte solution. Sasaki and Xiao, taken together, fail to teach an element of the present claims and thus fail to render the present claims obvious. For at least the foregoing reasons, reconsideration and withdrawal of the rejections are requested.

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It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance is requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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